ALBERTA ATTORNEY GENERAL

ANNUAL REPORT 1988-89

Alberta
ATTORNEY GENERAL

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Alberta
ATTORNEY GENERAL

Office of the Deputy Attorney General

9833 - 109 Street, Edmonton, Alberta, Canada T5K 2E8 403/427-5032

The Honourable Ken Rostad, Q.C.,
Attorney General of Alberta,
423 Legislature Building,
Edmonton, Alberta,
T5K 2B6

Dear Sir:

I am pleased to present the Annual Report of the Department of the Attorney General for the fiscal year April 1, 1988 to March 31, 1989.

Respectfully submitted,

D.W. Perras, Q.C.
Deputy Attorney General

Alberta
ATTORNEY GENERAL

Office of the Attorney General

423 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 403/427-2339

The Honourable Dr. D. Carter,
Speaker,
Legislative Assembly of Alberta,
325 Legislature Building,
Edmonton, Alberta,
T5K 2B6

Dear Dr. Carter:

I have the honour to submit the Annual Report of the Department of the Attorney General for the year-ended March 31, 1989.

Respectfully submitted,

Ken Rostad

Ken Rostad, Q.C.
Attorney General

Duties and Responsibilities of the Attorney General of Alberta

Alberta's system of administering justice has its roots in the British North America Act of 1867. The Act gave exclusive powers to Canadian provinces for administering justice in the broadest sense – whether the laws being administered are federal or provincial.

In 1906, therefore, the newly created province of Alberta passed the first Attorney General's Act. Today its equivalent is found in the Alberta statutes in a form little different from the original.

The Act details wide-ranging duties and responsibilities for the Attorney General which are addressed by the Department. These include: Civil Law Division, Court and Property Services, Criminal Justice Division, Public Trustee, Inspector of Land Titles, Chief Medical Examiner, Legislative Counsel Office, Legal Research and Analysis, and the Constitutional Law Branch.

Section 2 of the Act defines in detail the responsibilities of the Office. The Attorney General:

(a) is the official legal advisor of the Lieutenant Governor;

(b) shall ensure that public affairs are administered according to law;

(c) shall superintend all matters relating to the administration of justice in Alberta that are within the powers or jurisdiction of the Legislature or the Government;

(d) shall advise on legislative acts and proceedings of the Legislature and generally advise the Crown on matters of law referred to him by the Crown;

(e) shall exercise the powers and is charged with the duties attached to the office of the Attorney General of England by law or usage in so far as those powers and duties are applicable to Alberta;

(f) shall advise the heads of the several departments of the Government on matters of law connected with them respectively;

(g) shall settle instruments issued under the Great Seal of the Province;

(h) shall regulate and conduct litigation for or against the Crown or a public department in respect of subjects within the authority or jurisdiction of the Legislature;

(i) is charged generally with any duties that may be at any time assigned to the Attorney General of Alberta by law or by the Lieutenant Governor in Council;

(j) is responsible for the conduct of the matters hereinafter set out, the enumeration of which shall not be taken to restrict the general nature of any provision of this Act:

(i) the supervision of the administration of the law governing titles to real property in Alberta;

(ii) the recommendation of the appointment of and the giving of advice to sheriffs, registrars, judicial officers, justices of the peace, medical examiners, notaries public and commissioners for oaths;

(iii) the consideration of applications for bail and attendance thereon;

(iv) the consideration and argument of appeals from convictions and acquittals of persons charged with indictable offences;

(v) the hearing of applications for the granting of fiats regarding petitions of right, criminal informations, indictments, actions to set aside Crown patents, actions to recover fines and penalties, and other actions of a similar nature;

(vi) the consideration of applications for the remission of fines and penalties;

(vii) the appointment of counsel for the conduct of criminal business;

(viii) the arrangement of the sittings of the courts of justice in Alberta and the regulation of the work of official court reporters;

(ix) the supervision of the offices of the courts of law in Alberta;

(x) the examination of papers in connection with the admission and discharge of persons to and from mental health facilities;

(xi) the consideration of proposed legislation and other matters of a public nature;

(xii) the drawing of special conveyances and instruments of a similar nature relating to the sale or purchase of property under any Act relating to public works or otherwise.

Acts Administered by the Attorney General

Administration of Estates Act
Administrative Procedures Act
Age of Majority Act
Alberta Evidence Act
Alberta General Insurance Company Act
Arbitration Act
Assignment of Book Debts Act
Bills of Sale Act
Builders' Lien Act
Bulk Sales Act
Chattel Security Registries Act
Commissioners for Oaths Act
Conditional Sales Act
Contributory Negligence Act
Court of Appeal Act
Court of Queen's Bench Act
Criminal Injuries Compensation Act
Dangerous Dogs Act
Daylight Saving Time Act
Defamation Act
Department of the Attorney General Act
Devolution of Real Property Act
Domestic Relations Act
Dower Act
Execution Creditors Act
Exemptions Act
Expropriation Act
Extra-provincial Enforcement of Custody Orders Act
Factors Act
Family Relief Act
Fatal Accidents Act
Fatality Inquiries Act
Fraudulent Preferences Act
Frustrated Contracts Act
Garagemen's Lien Act
Gas Utilities Act
Guarantees Acknowledgment Act
Innkeepers Act
International Child Abduction Act
International Commercial Arbitration Act
Interpretation Act
Interprovincial Subpoena Act
Intestate Succession Act
Judgment Interest Act
Judicature Act
Jury Act
Justices of the Peace Act
Land Titles Act
Landlord's Rights on Bankruptcy Act
Languages Act/Loi linguistique
Law of Property Act[1]
Legal Profession Act
Legitimacy Act
Limitation of Actions Act
Maintenance Enforcement Act
Maintenance Order Act
Married Women's Act
Masters and Servants Act
Matrimonial Property Act
Mechanical Recording of Evidence Act
Minors' Property Act
Notaries Public Act
Oaths of Office Act
Occupiers' Liability Act
Partnership Act
Perpetuities Act
Personal Property Security Act
Petty Trespass Act
Possessory Liens Act
Proceedings Against the Crown Act
Provincial Court Act
Provincial Court Judges Act
Provincial Offences Procedure Act
Public Inquiries Act
Public Trustee Act
Public Utilities Board Act
Queen's Counsel Act
Reciprocal Enforcement of Judgments Act
Reciprocal Enforcement of Maintenance Orders Act
Regulations Act
Revised Statutes 1980 Act
Road Building Machinery Equipment Act
Sale of Goods Act
Seizures Act
Summary Convictions Act
Surrogate Court Act
Survival of Actions Act
Survivorship Act
Tort-Feasors Act
Trustee Act
Ultimate Heir Act
Unconscionable Transactions Act
Warehouse Receipts Act
Warehousemen's Lien Act
Wills Act
Women's Institute Act
Woodmen's Lien Act
Young Offenders Act

[1] Jointly administered with the Minister of Forestry, Lands and Wildlife

Judicial Districts Province of Alberta

Fort McMurray District

Peace River District

Grande Prairie District

Vegreville District

Edmonton District

Wetaskiwin District

Red Deer District

Calgary District

Drumheller / Hanna District

Medicine Hat District

Macleod District

Lethbridge District

COURTS IN ALBERTA

There are four Courts in Alberta, all constituted by provincial statute and administered by the Attorney General of Alberta:

The Court of Appeal of Alberta
The Court of Queen's Bench of Alberta
The Surrogate Court of Alberta
The Provincial Court of Alberta

A registry is also maintained for the Court of Appeal of the Northwest Territories.

The Supreme Court of Canada, although not constituted or administered provincially, is the court of last appeal for courts of provincial jurisdiction.

COURT OF APPEAL OF ALBERTA

Chief Justice of Alberta: J.H. Laycraft

The Chief Justice presides over the Court of Appeal of Alberta. In addition to the Chief Justice, the court is comprised of 13 justices of appeal appointed by the Governor General in Council.

During this fiscal period, no justices were appointed.

The number of civil appeals filed during the year decreased to 836 from 852 in the previous year, while the number of civil appeals heard increased to 436 from 394.

The volume of criminal appeals filed decreased to 1,061 from 1,145 and the number of criminal appeals heard decreased to 817 from 877. See page 12.

COURT OF QUEEN'S BENCH OF ALBERTA

Chief Justice: W.K. Moore

The Chief Justice presides over the Court of Queen's Bench of Alberta. In addition to the Chief Justice, the Court is comprised of an associate chief justice and 60 justices.

During this fiscal period, two justices were appointed as two other justices had elected supernumerary status.

The number of civil trials heard decreased and the number of criminal trials heard increased in the Court of Queen's Bench during the year. The number of civil actions commenced decreased by 12 per cent from the previous period. See page 12.

SURROGATE COURT OF ALBERTA

Chief Justice: W.K. Moore

The Surrogate Court has jurisdiction in relation to testamentary matters and in the issuing of grants of probate and administration. It also has jurisdiction in the appointment of guardians.

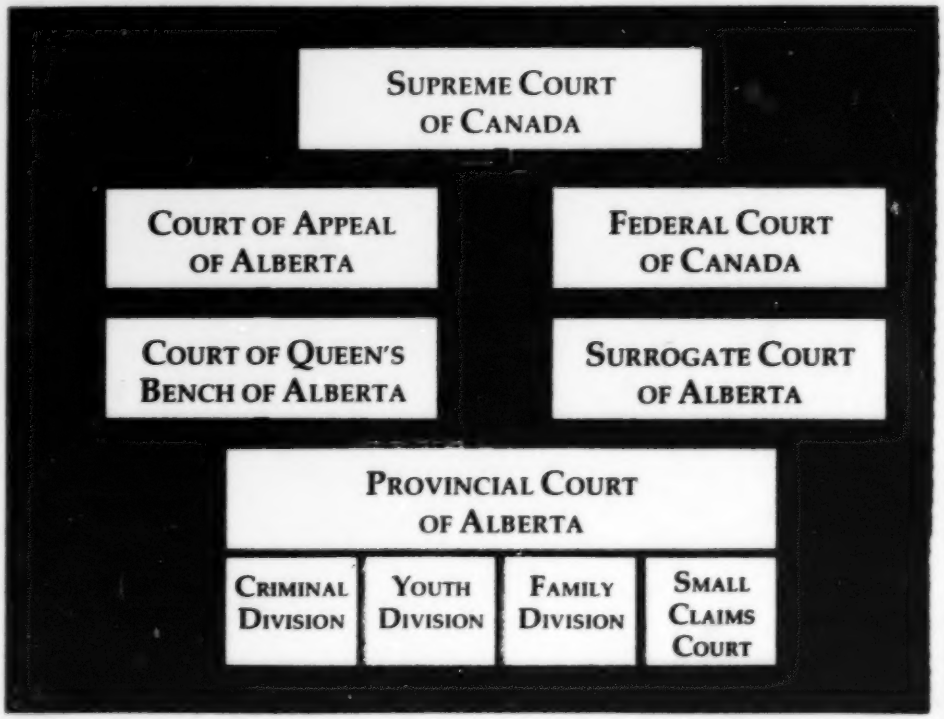
The Chief Justice and the other justices of the Court of Queen's Bench of Alberta also sit as judges of the Surrogate Court. See page 12.

THE PROVINCIAL COURT OF ALBERTA

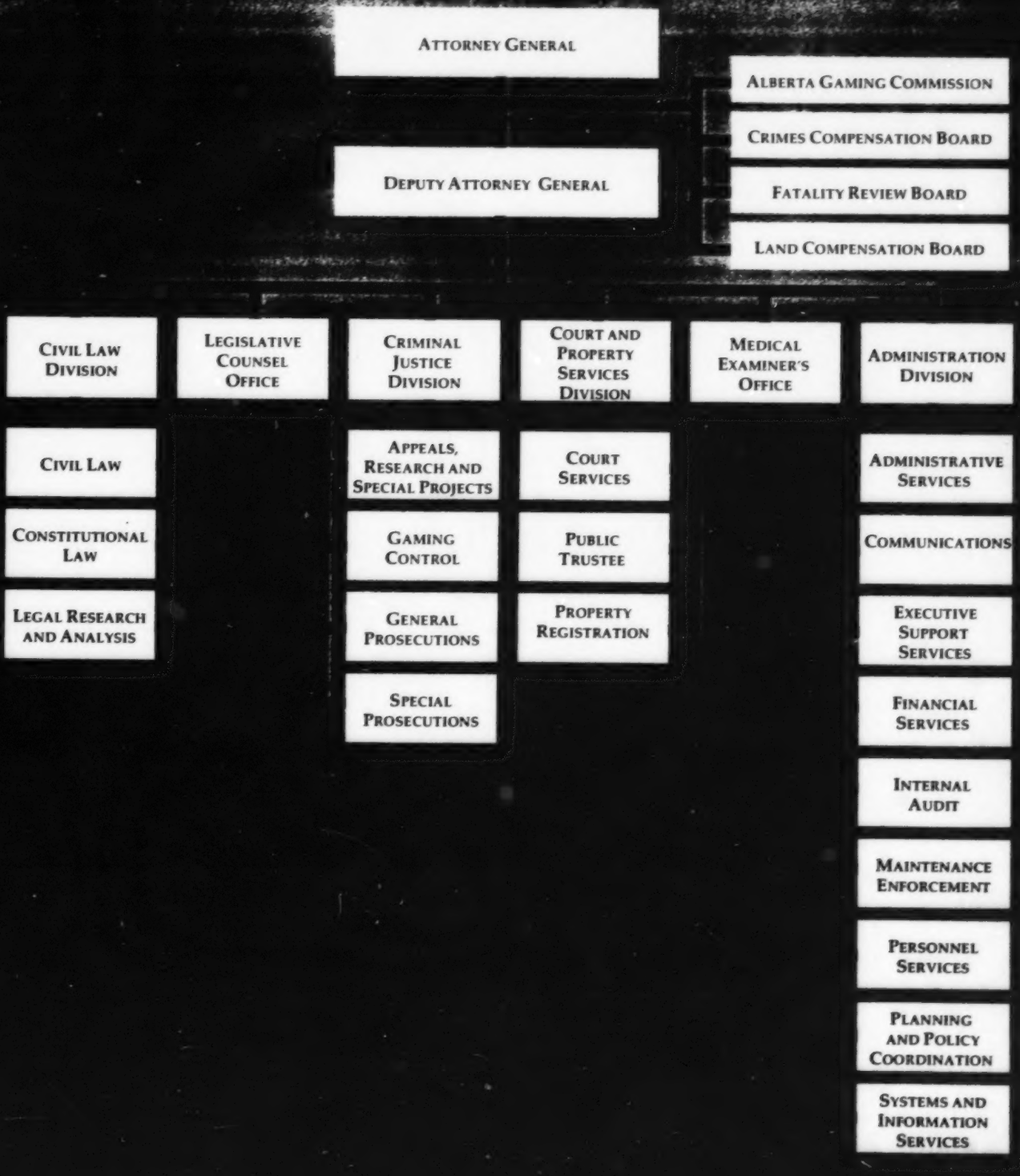
Chief Judge: C.A. Kosowan

The Chief Judge presides over the Provincial Court of Alberta. The Provincial Court exercises both civil and criminal jurisdiction: civil by virtue of the Provincial Court Act and the Landlord and Tenant Act, criminal by virtue of the Criminal Code and a variety of other statutes.

In addition to the Chief Provincial Judge and eight assistant chief judges, the Provincial Court of Alberta is comprised of 103 judges. Five judges were appointed by the Lieutenant Governor in Council, two for Edmonton, and one each for Peace River, Fort McMurray and St. Paul. These appointments offset retirements which occurred on the Provincial Court Bench. See page 12.



The Department of the Attorney General Organization Chart



Civil Law Division

Assistant Deputy Minister: D. Rae, Q.C.

The Civil Law Division is responsible for the administration of civil legal services provided by the Department, including the provision of legal advice to the Crown.

Civil Law Branch

Executive Director: R.N. Dunne

The Branch provides legal advice and assistance in civil matters to the provincial government. Branch lawyers provide legal advice to all government departments and to many government boards and agencies. They prepare legal opinions, draft agreements and serve on interdepartmental committees. In addition, Branch lawyers appear as counsel for the Crown in all courts of civil jurisdiction, including the Supreme Court of Canada; represent the Crown in proceedings before various administrative commissions and tribunals; and appear on behalf of the Attorney General at public inquiries under the Fatality Inquiries Act.

Constitutional Law Branch

Director: N.D. Steed

The Branch acts as a source of constitutional law expertise to the Alberta government, providing legal advice and representing the government before courts and tribunals.

On request, the Branch reviews government policies and practices or existing legislation with a view to avoiding potential constitutional problems. It also is involved in identifying potential challenges to proposed legislation and suggesting changes to avoid violating the constitution.

Branch lawyers represent the province on constitutional issues in all courts and tribunals in Alberta and also before the Supreme Court of Canada. In cases where the constitutional validity of legislation is challenged, the Branch is most often present to represent the province on the constitutional issue.

Legal Research and Analysis Branch

Director: C.W. Dalton

The Branch researches and analyzes statute law, judicial decisions and legal periodicals, and provides the Attorney General with legal advice on law reform and policy planning. Staff serve on interdepartmental committees studying law reform, professions and occupations, the joint Alberta government/Law Society Committee for Law Libraries in Alberta, the Alberta Law Reform Institute and the Uniform Law Conference of Canada. The Branch maintains liaison with other law reform bodies.

The Branch was involved in continuing research projects in personal property security, the Builders' Lien Act and the Provincial Offenses Procedure Act.

Criminal Justice Division

Assistant Deputy Minister: M.N. McCrank

The Criminal Justice Division provides legal services to criminal justice administration at all levels of court throughout the province.

Appeals, Research and Special Projects Branch

Director: P.C. Bourque

This Branch is responsible for all appeals in the Court of Appeal of Alberta and the Supreme Court of Canada, as well as research for special projects of the Department or in general areas affecting Department policies and procedures.

The Branch staff includes five lawyers in Edmonton and two in Calgary.

Gaming Control Branch

Director: W.W. McCall

Since 1981, the division of responsibilities between the Gaming Control Branch and the Alberta Gaming Commission has remained unchanged.

The Commission is the license-issuing authority and is responsible for developing policy. The Gaming Control Branch processes all applications for licensing. Also, it enforces policy and performs all audits, field inspections and investigations. The Branch has a staff of 58.

General Prosecutions Branch

Director: R.H. Davie, Q.C.

The General Prosecutions Branch, with a legal staff of 117, provides prosecution services through offices in Edmonton, Calgary, Lethbridge, Grande Prairie, Red Deer, Drumheller, Medicine Hat, Peace River, Vegreville, Wetaskiwin, Fort McMurray, St. Paul, and Hinton.

The head office in Edmonton provides direction and guidelines on legal procedures. It also addresses broader criminal law issues and provides a variety of administrative services to the field offices.

Special Prosecutions Branch

Director: B.R. Fraser, Q.C.

The Special Prosecutions Branch gives advice during police investigations and prosecutes particular cases including:

- significant criminal cases involving complex commercial or corporate criminal conduct;
- cases concerning organized criminal activity involving a number of jurisdictions; and
- cases with major involvement of a government agency and provincial government employees charged as a result of conduct in the course of government duties.

Handling such cases in this way ensures the best possible legal decisions during investigations and at the charging stage. It also ensures the most effective prosecution preparation and the highest degree of excellence throughout the court process.

In the Special Prosecutions Branch there are four Edmonton lawyers and three Calgary lawyers.

Court and Property Services Division

Assistant Deputy Minister: J.E. Klinck

The Division is responsible for the Court Services Branch; the Property Registration Branch, which includes the Land Titles Offices and Personal Property Registries; and the Public Trustee's Offices.

Court House Opening - June, 1988

A new court facility was completed and officially opened at High Prairie. This building replaced one which was destroyed by fire the previous year.

Bill C-72 - Official Languages Act - January, 1990 Implementation

During fiscal 1988/89, computer equipment for bilingual printing was acquired and bilingual forms and associated systems enhancements were completed in order to implement Bill C-72. All criminal courts are now prepared to support the implementation of the federal legislation throughout the province.

ALTA System Implemented

After many years of planning and development work, the Alberta Land Titles Automation (ALTA) System became operational. In October, 1988, the Edmonton office started registering documents on the new computer system.

In November 1988, amendments to the Land Titles Act were proclaimed in force to accommodate the new method of record-keeping and registration. By year-end, approximately 60 per cent of the daily registrations in the Edmonton Office were being effected on the system, about 30,000 titles had been converted and development work for the total automation project was about 50 per cent complete.

Personal Property Security Act Passed

The Personal Property Security Act was passed in July, 1988 and will come into force on October 1, 1990. The Act will modernize the law applicable to loan transactions involving the use of personal property to guarantee payment. It will also provide greater flexibility to persons entering into such transactions and facilitate the registration process thus eliminating unnecessary costs.

Court Services Branch

Executive Director: R.B. Dunster

The Executive Director provides administrative support to all levels of court in Alberta through three Regional Directors and a Central Services Director. There are 975 permanent administrative support positions in the Branch.

COURT SUPPORT SERVICES

Court Support Services is responsible for court automated systems, court reporting and recording systems, Department and court library services, preparation of policies and procedures, and budget and expenditure support to court operations.

Court Systems

The ticket processing and criminal case tracking computer system experienced an increase in transaction volumes and continued to perform satisfactorily. The system was modified to incorporate the most current legislative changes and a major enhancement enabled the system to print bilingual court documents. The civil case tracking system continues to provide excellent support to the Edmonton and Calgary regions and has been recommended for expansion to other court locations.

Court Reporting/ Recording Systems

Court proceedings are reported or recorded to allow for the production of verbatim transcripts. Transcript orders in 1988 totalled approximately 765,000 pages, a decrease from 1987.

Libraries

The libraries experienced another year of substantive increase (18 per cent) in the provision of computer-assisted legal research service, while overall traditional manual reference services decreased two per cent. Circulation service increased two per cent, while the number of practicing lawyers increased three per cent. The libraries began to provide a new service to rural lawyers - a facsimile service which enables them to obtain legal information within 24 hours.

COURT OPERATIONS

Court Operations are separated into three regions: Calgary, Edmonton and Rural. Administrative support is provided to the various courts and their divisions in the region, broadly labelled as Court Office Administration, Court Clerks, and Sheriff's Office.

Court Office Administration

Court Office Administration accepts documents from the public, enforcement and other agencies,

COURT STATISTICS

Case-load Statistics for year-end March 31, 1989

	1988-89	1987-88
COURT OF APPEAL OF ALBERTA		
Civil appeals filed	836	852
Civil appeals heard	436	394
Criminal appeals filed	1,061	1,145
Criminal appeals heard	817	877
COURT OF QUEEN'S BENCH OF ALBERTA		
Civil and Criminal Cases		
Civil actions commenced (excluding divorce)	54,365	61,745
Civil trials heard (excluding divorce)	1,672	1,694
Petitions for divorce commenced	10,080	11,005
Decree nisi/Divorce judgments granted	8,442	8,432
Criminal trials heard	2,686	2,589
Summary conviction appeals filed	1,276	1,152
Summary conviction appeals heard	877	988
Sheriff's Office		
Writs of execution filed	20,481	25,308
Distress warrants filed	13,329	16,682
Seizure activities	15,151	19,353
Process served	13,272	23,173
Jury summonses served	16,081	18,207
SURROGATE COURT OF ALBERTA		
Applications for Probate/Administration filed	6,143	6,385
Grants of Probate issued	5,985	6,007
PROVINCIAL COURT OF ALBERTA		
Criminal Division		
Provincial Statute Offences received on Form A Tickets*	653,444	659,254
Charges received on Criminal Code Informations	165,547	166,708
Family and Youth Divisions		
Docketed Youth charges**	49,472	44,125
Child Welfare applications	6,095	6,023
Family Court applications	3,988	4,077
Small Claims Division		
Small claims and Landlord and Tenant Applications filed	28,815	33,340

* The number of Form A Tickets received includes tickets issued to Young Offenders.

** Also includes Reviews of Dispositions of Young Offenders

files and maintains court documents and records, controls exhibits and receives and accounts for all fine monies and fees for service. Resident staff are located in 24 Alberta locations. Case-load statistics are located in chart left.

Court Clerks

Court clerks are provided in all court proceedings. Court clerks call court to order, swear in witnesses, make and maintain records of the proceedings and accept exhibits that are being entered.

Sheriff's Office

The Sheriff's Office is responsible for the service and enforcement of court orders and documents, including jury summonses and writs effecting seizures and evictions. For statistics relating to the Sheriff's Office see chart left.

PROPERTY REGISTRATION BRANCH

Director: K.B. Payne

Land Titles Offices

The land registration system administered by the Land Titles Offices in Calgary and Edmonton is based on a government guarantee of land ownership information. This information is recorded through the issuance and updating of certificates of title that document the ownership of various interests in land parcels. Documents that effect ownership changes and plans that create parcel boundaries are examined for compliance with legal requirements before they are accepted for registration. Searches of the title and document records maintained by the Offices are provided to the public.

The volume of document registrations showed decreases in the first three quarters of 1988/89 but rose in the last quarter with the total for the year being 0.2 per cent lower than 1987/88. Survey plan registrations rose 14.8 per cent and the number of certificates of title issued went up 7.4 per cent. Searches of land titles records increased by 6.9 per cent. The popularity of the facsimile search service was especially noteworthy, with an increase of over 64 per cent over the previous year's volume. Detailed statistics are provided below.

LAND TITLES OFFICES

Activities for year-end March 31, 1989

	Type of Activity	1988-89	1987-88	% Increase (Decrease)
Document Registrations	Transfers	117,587	119,245	(1.4)
	Mortgages	70,594	67,561	4.5
	Caveats	85,100	82,186	3.5
	Liens	6,307	6,222	1.4
	Discharges	157,489	165,075	(4.6)
	Easements and Utility Rights-of-Way	8,937	8,374	6.7
	Miscellaneous	103,159	101,774	1.4
	TOTAL	**549,173**	**550,437**	**(0.2)**
Survey Plan Registrations	Subdivision Plans	1,209	1,121	7.9
	Condominium Plans	72	52	38.5
	Road Plans	751	779	(3.6)
	Rights-of-Way Plans	2,388	2,106	13.4
	Descriptive plans	370	N/A	N/A
	Others	318	391	(18.7)
	TOTAL	**5,108**	**4,449**	**14.8**
Tax Recovery	Titles Endorsed	7,089	8,042	(11.9)
	Tax Notices Issued	14,543	14,703	(1.1)
Certificates of Titles Issued	On Transfers	143,650	134,805	6.6
	On New Subdivision Plans	9,730	8,821	10.3
	On New Condominium Plans	3,953	2,812	40.6
	TOTAL	**157,333**	**146,438**	**7.4**
Searches	Plan Searches	169,796	166,178	2.2
	TWX Searches	9,910	42,218	(76.5)
	Telephone Searches	62,624	76,309	(17.9)
	FAX Searches	326,273	198,464	64.4
	Microfiche Titles (Pages)	64,741	70,947	(8.7)
	Photocopies - Titles and Documents (Pages)	4,466,137	4,258,030	4.9
	Microfilmed Documents (Pages)	1,534,249	1,394,397	10.0
	TOTAL	**6,633,730**	**6,206,543**	**6.9**

Personal Property Registry

The Personal Property Registry, which includes the Central Registry and the Vehicle Registry, is responsible for registering documents and providing searches in respect of interests in personal property. Registrations relating to vehicles, railway rolling stock and oil well drilling equipment are conducted in the Vehicle Registry, while all other registrations are conducted in the Central Registry. In addition, the Central Registry registers and provides searches of trade names and partnerships.

The volume of registrations (other than under the Partnership Act) decreased by 6.8 per cent over the previous year while the number of registrations under the Partnership Act increased by 2.7 per cent. The volume of searches (other than under the Partnership Act) decreased by 8.5 per cent while the number of searches under the Partnership Act increased by 4.2 per cent. See chart below.

PERPIS System Designed

To implement the Personal Property Security Act, the computer system of the Personal Property Registry is being redeveloped. The new system, to be known as the Personal Property Information System (PERPIS), is being designed to be more flexible and responsive to the needs of Personal Property Registry clients than the existing system. In addition, forms and guides are being redesigned for ease of use by clients.

Personal Property Registry

Activities for year-end March 31, 1989

		1988-89	1987-88	% Increase (Decrease)
Documents registered		528,116	567,064	(6.86)
Encumbrance searches		556,927	609,196	(8.57)
Partnership Act	Registrations	19,450	18,932	2.73
	Searches	24,172	23,185	4.25

Public Trustee Branch

Public Trustee: W.A. deNance

The Public Trustee:

- protects the assets and financial interests of children under 18 years of age and of missing persons, by acting as guardian of their estates;
- acts as trustee for those who are legally unable to handle their own financial affairs by reason of mental disability; and
- administers deceased persons' estates when they die intestate and there are no adult relatives in the province.

Official Guardian

In the 1988/89 fiscal year, the Public Trustee was appointed as official guardian for the administration of 1,884 new estates for missing persons and children. This represents an increase of 5.3 per cent from the 1,789 files in 1987/88.

Dependent Adults

In dependent adult administration, the Public Trustee opened 287 files, a decline of two per cent over the previous year's 293 cases.

Deceased Estates

In deceased estate administration, 498 files were opened this year which is a decrease of 1.9 per cent from the 508 files opened in the previous year. The Public Trustee does not handle administration of estates where there are next-of-kin in the province who are able to do so. However, there are situations where extenuating circumstances require the Public Trustee to act in files of this type.

Office Overview

The total files under the Public Trustee's administration during this year were 19,802 which is an increase of 47 files over the past year's total. Two-thousand, six-hundred and sixty-nine new cases were undertaken and 2,622 were concluded during the year. The amount of work involved in the

administration of estates has increased over the years as individual estates are of a much larger size and greater diversity of assets, accordingly they entail a great deal more administration than in the past.

The Public Trustee information system is a computer operation within the Public Trustee's Office and continues to be of tremendous assistance in the detailed work of administration of these varied estates. Each officer uses a computer which enhances their ability to respond to problems expeditiously and to reply to public inquiries immediately.

The trust balance sheet reflects assets under administration totalling $225 million as of March 31, 1989, an increase of 2.2 per cent over the previous year's total. Many estate assets and liabilities are reported at a nominal value of one dollar as valuation of these assets and liabilities is not readily available.

TRUST BALANCE SHEET

Unaudited as at year-end March 31, 1989

ASSETS	Estates' and Beneficiaries' Assets	
	Cash in trust bank accounts	$ 2,002,026
	Consolidated fund investments, at amortized cost	187,931,912
	Other investments	15,253,449
	Other assets *	1
		205,187,388
	Special Reserve	
	Cash	—
	Investments	19,670,241
	Receivables	216,092
		19,886,333
		225,073,721
LIABILITIES	Estates' and Beneficiaries' Liabilities	
	Advances due to Provincial Treasurer	$ 24,462
	Payables	218,998
	Other liabilities **	1
	Estates' and Beneficiaries' Capital	204,943,927
		205,187,388
	Special Reserve	
	Accounts Payable	23,908
	Retained earnings	19,862,425
		19,886,333
		225,073,721

* Other assets, which include bank accounts and accounts receivable, mortgages, agreements, notes receivable and real estate are reported at a nominal value of one dollar as valuation of these assets is not readily determinable.

** Other liabilities including accounts, mortgages, agreements and notes payable are reported at a nominal value of one dollar as valuation of these liabilities is not readily determinable.

Legislative Counsel Office

Chief Legislative Counsel: P. J. Pagano

The Legislative Counsel Office drafts all government bills, orders-in-council and regulations. Sixty-one public acts were drafted that received Royal Assent and 776 orders-in-council were passed by cabinet during the year ending March 31, 1989. The Office also drafted the majority of the 388 regulations filed under the Regulations Act during that period. Revision of Alberta Regulations continued throughout the year.

Administration Division

Executive Director: D. Medwid

Administrative Services Branch

Director: H.A. Brinton

Special Services is responsible for analysis and design of Department forms and reports, maintenance of the forms management program and operation of a reprographics unit.

Materials and Facilities provides a central purchasing and supply service, administers all facility and accommodation projects for the Department and coordinates Department word processing systems.

Records and Micrographic Services provides advice and assistance in all areas of records management including the operation of the central records office serving head office and the records disposition program serving the entire Department. Microfilm labs in Calgary and Edmonton provide microfilming, processing, editing, and duplicating services to the Department. In the course of creating micrographic records, a total of 6,789,600 camera exposures were made during this year.

Official Documents and Appointments processes appointments and maintains current files of the province's 28,839 commissioners for oaths and 474 notaries public and administers the Provincial Secretary's Office.

Communications Branch

Director: L. J. Gronow

This Branch provides complete communications services to the Department of the Attorney General.

The Branch provides public relations counsel to the Department's executive management group and its reporting agencies including the Alberta Gaming Commission, the Crimes Compensation Board and the Office of the Chief Medical Examiner.

Branch staff respond to routine public inquiries and handle all media inquiries that are directed to the Department. They identify and research issues and public concerns and issue news releases.

In addition, Communications coordinates special events and news conferences, develops and implements advertising, and coordinates production and distribution of annual reports and other publications. Branch staff also produce display and audio-visual materials to support Department programs and services.

In 1988, the Branch began the quarterly publication of an interdepartmental newsletter, "In General" to improve communications between Department branches which are spread throughout the province.

Executive Support Services Branch

Manager: R. Petruk

This Branch assists the Department's executive managers by providing support services in managing the administration of senior committees, representing the

Department in various federal/provincial forums, undertaking special projects and providing policy analysis.

Financial Services Branch

Director: I. Hope

The Branch provides a broad range of financial support and advisory services to the Department.

The Financial Planning Section performs ongoing financial reviews of operations for reporting to senior management and coordinates preparation of the Department's annual budget.

The Expenditures Section is comprised of Accounts Payable and Pay and Benefits Units. The Accounts Payable Unit processes and controls all vendor and employee expense payments while the Pay and Benefits Unit coordinates and processes all payroll transactions on behalf of Department employees. Expenditure details are shown on page 23.

The Revenue and Trusts Section provides central direction and control over all revenue and trust monies collected at approximately 60 program/service locations throughout the province. Revenue details are shown on page 22. This Section also coordinates the collection of fines levied by the courts and their distribution to more than 350 municipalities and other government entities. In addition, this Section provides financial advisory services to Department managers in relation to new or changing systems, procedures and controls.

Internal Audit Branch

Director: E.T.N. Berg

The Branch provides management with an internal audit coverage of the Department. Its emphasis is with management's control of the operational, financial and system development process. Management is advised as to the adequacy of financial and management procedures and controls, program effectiveness and efficiency through an independent, systematic appraisal of Department activities.

Maintenance Enforcement

Director: G. Leibel

The mandate of the Maintenance Enforcement Program is to assist Albertans in collecting family maintenance payments ordered by court. In doing so, the program strives to provide a degree of economic stability to those affected.

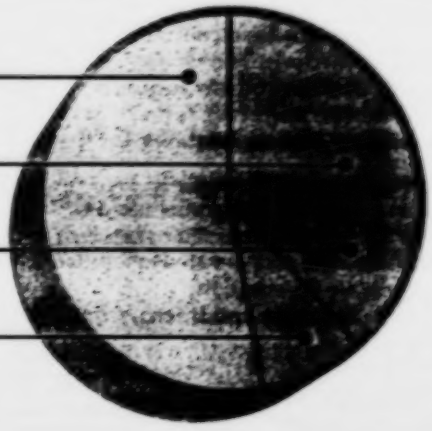
Since February 1, 1986 when the Program started, it has registered over 30,000 orders, and now receives up to 500 new orders per month. In response to this demand, the Program expanded its facilities and increased staffing.

Reciprocal arrangements have been made with all other provinces and territories in Canada, 35 states in the United States (agreements with the remaining states are under negotiation), as well as 21 countries.

Collections for the fiscal year totalled $30,439,000 including $6,902,000 recovered for the Crown. Total operating costs for the year were $3,460,000. Since its inception the program has collected over $57,000,000.

Geographic Distribution of Alberta Attorney General Staff

Year-end March 31, 1989



Personnel Services Branch

Director: G.D. Dawson

This Branch provides a full range of human resource services to the Department in the areas of recruitment and selection, position classification, staff development, organizational analysis, human resource planning, staff relations, compensation and benefit administration.

Selection and Classification:
In addition to day-to-day recruitment activity, this section also conducts a number of specialized recruitment programs each year involving Legal Articling Students, Summer Temporary Employment, Priority Employment and the Quebec/Alberta Exchange Program. Position classification transactions continue to occur as managers change their organization structures in an effort to streamline operations and increase productivity.

Employee Relations:
Contract interpretation, provision of advice on disciplinary action and grievance handling continue to be major functions. The section also offers pension counselling and administers the Long Term Disability Income Plan.

Staff Development:
There were 116 programs offered and 1,296 Department employees participated. Subject areas included Employee Orientation, Communication and Interpersonal Skills, Management Development, Supervision, Career Development, Counter Skills, Electronic Data Processing, Health and Safety and Para Legal Skills. Special programs in Excellence in Service and Frontline Leadership were implemented during the year.

This section also provided consultation on many diverse topics including: quality of worklife, performance management in a large urban court, team building and management performance.

Planning and Policy Coordination Branch

Director: J. Wilson

As a Department management information service, the Branch is responsible for coordinating the collection, analysis, and dissemination of information that pertains to the administration of justice. The objective of this initiative is to provide a corporate perspective on the information so that it can be used for management and forecasting purposes.

When requested, Planning and Policy Coordination will review and evaluate information and reports, assist in the initiation and following stages of various projects and provide technical advice and assistance with information analysis and presentation. During the 1988/89 fiscal year, the Branch assisted with the project planning and management for the Personal Property Registry Implementation, coordinated the Plain Language Initiative in the Department and reviewed available information and reports in areas such as child sexual abuse and impaired driving.

The Branch also serves a liaison function with the Canadian Centre for Justice Statistics and disseminates information on national projects of interest to the Department. In addition, a centralized collection of all Centre publications and reports is maintained in the Branch.

As part of its responsibility for developing, implementing and administering corporate management support systems, the Branch maintains a register of all committees and projects in the Department.

Systems and Information Services

Director: J. Sorensen

The Branch provides services to the Department related to electronic data processing and word processing.

The Systems and Information Services Branch is responsible for policies related to data processing and word processing, while responsibility for operation of individual projects resides with the user units. The Branch assists the users by providing technical support and management direction to the projects. The majority of development and maintenance work is contracted to the private sector through Alberta Public Works, Supply and Services.

The Branch developed an electronic data processing plan to support the budget process and interface with central government agencies.

Major projects in 1988/89 included Alberta Land Titles Automation (ALTA) which became operational late in 1988 and the Personal Property Information System (PERPIS) which is scheduled for implementation in the fall of 1990, to coincide with the proclamation of the Personal Property Security Act.

Office of the Chief Medical Examiner

Chief Medical Examiner: J.C. Butt, M.D.
Deputy Chief Medical Examiner: G.P. Dowling, M.D.
Chief Toxicologist: G. Jones, Ph.D.

Medical Examiner System

The Chief Medical Examiner investigates unexpected or unexplained deaths, including all unnatural deaths occurring in the province. These categories represent about 30 per cent of all Alberta deaths. The Fatality Inquiries Act requires that the Chief Medical Examiner issue certificates approving cremation, shipment out of province, or anatomical dissection under the Universities Act.

Approximately 150 medical examiners working on a fee-for-service basis conduct investigations. There are also full-time forensic pathologists in the Office of the Chief Medical Examiner. Ultra-modern, well equipped medical examiner facilities, including toxicology laboratories, are located in Edmonton and Calgary.

The Chief Medical Examiner conducts a program to solicit post mortem corneal and skin tissue gifts in selected cases through consent of next-of-kin.

Education

The Office continued to provide an education program directed primarily at medical persons, police officers, and other personnel involved in the investigation of sudden death. A publication, "Investigation of Sudden Death - A Medical Examiners Guide," was produced for medical examiners and police investigators to assist them in their work for the Office. Seminars were held in the winter of 1988/89 to promote proper use of this book. As well, staff forensic pathologists were involved in the education program of medical, legal, dental, and forensic archeology programs at the Universities of Alberta and Calgary. The post-graduate program for pathology trainees continued in 1988/89.

Death Notification

In the 1988/89 fiscal year there were 3,415 deaths investigated, compared with 3,519 in the previous period. Details of case-load volumes for 1988/89 are available below.

Statistical and Research Unit

This unit supplies statistics to government, university, and other agencies with an interest in social and medical matters. Emphasis is placed upon the preventable aspects of sudden, unnatural deaths and research into various aspects of sudden death, for example epidemiology. This unit is unique in Canada and information is in great demand, especially by social scientists.

Deaths Reported

For year-end March 31, 1989

	Total Provincial	
	1988-89	**1987-88**
Natural	1,861	1,793
*Accidental	775	865
Suicidal	385	411
Homicidal	63	65
Unclassified	154	164
Undetermined	77	81
Pending	100	140
	3,415	**3,519**

*Traffic and non-traffic accidental deaths.

Corneal Donation Program

for year-end March 31, 1989

	No. of Requests	No. of Donations	%
Calgary	40	23	
Edmonton	17	12	
Alberta	57	35	61
Total since program inception			
Calgary	189	120	
Edmonton	204	121	
Alberta	393	241	61

Boards and Associated Agencies

Alberta Gaming Commission

Chairman: K.C. Joshee

Established in January, 1981 as the provincial licensing authority for lottery schemes under the Criminal Code, the Alberta Gaming Commission licenses bingos, casinos, raffles and pull-ticket sales conducted by charitable or religious organizations for charitable or religious purposes.

In addition, the seven-member commission is responsible for reviewing gaming policy, providing information on licensed gaming to the public and advising volunteer groups.

Where concerns or uncertainties are identified in the review of an application, the commission provides the opportunity for representatives of the applicant to appear at one of its regular public hearings. After considering all presentations and evidence appropriate to the application, the commission issues a licensing decision, with complete explanation.

The commission publishes and distributes an annual review summarizing each year's activities, including new developments and licensed gaming statistics for Alberta.

Crimes Compensation Board

Chairman: B.A. Nahornick, M.D.

Alberta's Crimes Compensation Board was established in 1969 to help victims of violent crimes who suffer financial loss as a direct result of injuries.

During 1988/89, 281 applications for compensation were filed. Of these, 244 were from individuals who had been injured and suffered loss, 37 were for loss resulting from death, including claims for support by dependants.

The Board made 497 decisions. Of these, 227 were final awards, 88 were refusals of claims and the remainder were interim or supplemental awards. The total compensation ordered by the Board to be paid in the year was $1,115,967 including $495,874 in monthly payments for continuing liability.

The most frequent crimes for which applications were received last year were assault causing bodily harm (173), robbery with violence (30), murder (22), and sexual assault (19).

Periodic Payments

The Board exercises authority to make awards involving periodic payments.

Annual reviews by the Board may adjust the amount of the payment to reflect changing circumstances. Over an extended period, the total of monthly payments may well equal the amount that the civil courts might have awarded by way of damages. Several applicants would have been entitled to social assistance but the payments by the Board correspond more closely to the earnings they have lost as a result of a violent crime. At present, 70 victims are receiving monthly payments ranging from $21 to $2,600.

Fatality Review Board

Chairman: K.E. Vik, M.D.

The Fatality Review Board decides whether to recommend public inquiries into sudden deaths. Public inquiries are held before a judge of the Provincial Court of Alberta. There were 29 inquiries in 1988/89 compared to 31 in 1987/88.

The board is appointed by the Lieutenant-Governor-in-Council and is composed of a lawyer, a physician and a lay person. The Chief Medical Examiner is an ex officio member of this board.

Land Compensation Board

Chairman: L.L. Wood

The Land Compensation Board was established to deal with the expropriation of land and the determination of full compensation to owners for land losses and costs and expenses resulting from the expropriation. Property owners not satisfied with the payment proposed by expropriating authorities may apply to the Board to have compensation determined.

During 1988, the Board received 30 applications, of which 23 were to determine compensation and six were Notice of Motion asking the Board to decide issues arising from expropriation procedures. The Board was required to act as inquiry officer and approving authority for one expropriation.

The Board heard 19 cases during 1988 and issued nine Orders determining final compensation for expropriated property and 10 Orders on expropriation procedures.

All decisions of the Board are given in writing, with complete explanation. Copies of each decision are filed with provincial courthouses and the law libraries at the University of Alberta and the University of Calgary. The Board provides free copies of specified decisions on request.

The Board consists of six members: a chairman, one full-time member and four part-time members. The Board has a support staff of five.

Legal Aid Society

Executive Director: N. Nichols

The Legal Aid Society provides legal representation in criminal and civil matters to eligible applicants. There are two separate criteria for eligibility for legal aid coverage. The applicant's income must fall within the guidelines for financial eligibility. As well, a determination must be made whether or not the applicant's legal problem is one which is within substantive eligibility guidelines.

In criminal cases, aid is available for all indictable offences, and generally for summary conviction offences where imprisonment or loss of livelihood is a potential result. Civil cases are covered where it has been determined there is substantial merit in the action, except for divorce cases where there must be compelling need for the divorce. Clients are, in most cases, required to contribute toward the cost of retaining legal services.

Policy is formally established by the Law Society of Alberta. The Legal Aid Society is responsible by the terms of an agreement with the Law Society for operating a plan to provide legal aid. There are 15 members of the Legal Aid Board of Directors: two named by the Law Society, two by the Attorney General, one by the government of Canada and 10 selected jointly.

There were 33,280 applications for coverage. Of the certificates issued 56 per cent were for criminal cases, 23 per cent for young offenders and 21 per cent for civil matters. The Duty Counsel Program is available in 47 locations across the province and assisted 32,281 persons.

All legal services to clients are provided by members of the Law Society in private practice. They are appointed by Legal Aid to represent individual clients and are paid on the basis of a tariff of fees, one-third to one-half of standard private fees. Participation under this tariff represents the substantial contribution of the private bar to the provision of legal aid.

The Society received $15,650,000 from the government of Alberta, a portion of which will be recovered from the government of Canada according to a cost-sharing formula. Another $1,224,491 came from client and other recoveries and $546,598 from interest and sundry sources.

Expenditures in the period totalled $17, 035,944. Of that amount, $13,132,672 was paid to lawyers for legal fees and disbursements. Staff salary and fringe benefit costs were $2,767,583, capital expenditures were $245,054 and other administrative costs were $890,635.

ATTORNEY GENERAL - Statement of Revenue

For year-end March 31, 1989 (Unaudited)

Payments from Government of Canada:	Legal Aid	$ 6,535,832
	Other	895,711
		7,431,543
Fees, permits and licenses:	Land Titles	35,348,361
	Central Registry	6,909,742
	Clerks of the Court Act	4,232,895
	Public Trustee Act	2,671,589
	Lottery Licenses	2,340,114
	Sheriff's Act	1,606,941
	Other	1,614,686
		54,724,328
Other revenue:	Refunds of Expenditure:	
	Previous Years' Refunds	47,550
	Salaries and expenses	14,404
	Statute Fines	19,523,637
	Maintenance Enforcement Act	7,332,255
	Registrar's Assurance Fund	1,515,623
	Miscellaneous	1,567,333
		30,000,802
	Total Revenue	**$ 92,156,673**

ATTORNEY GENERAL - Statement of Expenditures

For year-end March 31, 1989 (Unaudited)

Department Support Services	$ 6,814,883
Court Services	60,716,997
Legal Services	34,614,703
Support for Legal Aid	15,650,000
Protection and Administration of Property Rights	23,203,005
Fatality Inquiries	3,458,971
Crimes Compensation	1,318,935
Public Utilities Regulation	2,743,805
Gaming Control and Licensing	343,324
Total Expenditures	**$ 148,864,623**

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